

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILU

WRIT PETITION No.6172 of 2019

ORDER:

This writ petition is filed seeking the following relief :-

“ to issue order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not implementing G.O.Ms.No.194 Home (Services.I) Department dt.6.12.2018 and G.O.Ms.No.197 Home (Services.I) Department dt.12.12.2018 not considering for promotion to the post of Additional Superintendent of Police w.e.f. 1.9.2013 and consequently promotion to the post of Superintendent of Police (N.C.) as illegal, arbitrary and against the principles of natural justice and violates Articles 14, 16 and 21 of the Constitution of India and consequently direct the respondents to implement G.O.Ms. No.194, Home (Services.I) Department dt.6.12.2018 and G.O.Ms.No.197 Home (Services.I) Department dt.12.12.2018 by considering the case of the Petitioner as Additional Superintendent of Police w.e.f. 1.9.2013 and promotion to the post of Superintendent of Police (N.C.) on par with juniors and with all consequential benefits”.

Heard Mr.A.Sai Chakravarthy, learned counsel for petitioner and the Special Government Pleader for Home.

It has been contended by the petitioner that he is working as Deputy Superintendent of Police and he is fully eligible and qualified to be promoted to the post of Additional Superintendent of Police with effect from 01.09.2013 and further promotion as Superintendent of Police as per G.O.Ms.No.194 dated 06.12.2018 and G.O.Ms.No.197 dated 12.12.2018.

The grievance of petitioner is that he has submitted representations to the respondents on 14.12.2018 and 31.01.2019 to consider his case for promotion to the post of Additional

Superintendent of Police with effect from 01.09.2013 and further promotion as Superintendent of Police on par with his juniors. But, so far, the respondents have not considered the case of the petitioner nor passed any orders on the representations submitted by the petitioner.

Learned counsel for petitioner submits that appropriate orders be passed in the writ petition directing the respondents to consider the representations submitted by the petitioner on 14.12.2018 and 31.01.2019 and pass appropriate orders in accordance with law.

Learned Government Pleader appearing for respondents has contended that the case of the petitioner will be considered in accordance with law and appropriate orders would be passed on the representations submitted by the petitioner.

This Court, having considered the rival submissions, is of the considered view that the writ petition can be disposed of directing the respondents to consider the representations submitted by the petitioner on 14.12.2018 and 31.01.2019 and pass appropriate orders in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

With the above observations, the writ petition is disposed of. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVIL, J

Date: 25-03-2019
Prv

